

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

KEVIN M. CALISSIE,

Plaintiff,

v.

Civil Action No. 2:12-0834

RANDY GILKENSON,

Defendant.

MEMORANDUM OPINION AND ORDER

This action was previously referred to Mary E. Stanley, United States Magistrate Judge, who has submitted her Proposed Findings and Recommendation pursuant to the provisions of 28 U.S.C. § 636(b) (1) (B) .

The court has reviewed the Proposed Findings and Recommendation entered by the magistrate judge on May 17, 2012. The magistrate judge recommends dismissal without prejudice of plaintiff's complaint for failure to prosecute. The plaintiff has not objected to the Proposed Findings and Recommendation.

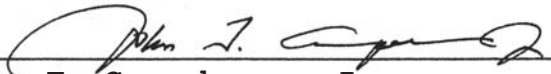
Following a de novo review, the court concludes that the disposition recommended by the magistrate judge is correct. Accordingly, it is ORDERED as follows:

1. That the Proposed Findings and Recommendation be, and it hereby is, adopted by the court; and

2. That this action be, and it hereby is, dismissed without prejudice.

The Clerk is directed to forward copies of this written opinion and order to the pro se plaintiff, all counsel of record, and the United States Magistrate Judge.

DATED: July 13, 2012



John T. Copenhaver, Jr.
United States District Judge